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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

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| BRAD TSCHIDA,<br><br>Plaintiff,<br><br>v.<br><br>JEFF MANGAN, IN HIS OFFICIAL<br>CAPACITY AS THE COMMISSIONER<br>OF POLITICAL PRACTICES;<br>JONATHAN MOTL, IN HIS<br>PERSONAL CAPACITY,<br><br>Defendant. | Cause No. CV 16-102-BMM<br><br>DEFENDANT’S BRIEF IN SUPPORT<br>OF MOTION TO DISMISS SECOND<br>AMENDED COMPLAINT |
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Defendant Jonathan Motl, through counsel, submits this Brief in Support of his Motion to Dismiss the Second, Third, and Fourth Claims for Relief and all claims for damages as stated in the Second Amended Complaint (Doc. 55).

The Second Amended Complaint adds the new Commissioner of Political Practices, Jeff Mangan, as a defendant in his official capacity. The Second Amended Complaint makes no substantive changes to the claims against Defendant Jonathan Motl in his personal capacity as they were set forth in the First Amended Complaint (Doc. 15). These claims were previously dismissed by this Court, and should also be dismissed with respect to the Second Amended Complaint for the reasons previously stated in Defendant Motl's Brief in Support of Motion to Dismiss (Doc. 27) and by this Court in its Order Granting Motion to Dismiss (Doc. 45).

Dated this 29th day of June, 2017.

/s/ Patricia H. Klanke

Patricia H. Klanke

Attorney for Defendant